

due is payable in kind to be recovered on behalf of the village-servant entitled thereto, free of charge, as if the same were an arrear of land-revenue :

(2) Provided that the Collector may decline to cause such recovery to be made on behalf of any servant, if, in his opinion, the duty in respect of which the payment is due has not been duly performed by such servant.

Collector's functions under this Act may be delegated.

44. Any power conferred or duty imposed by this Act upon the Collector may, <sup>1</sup>\* \* \* \* \* be <sup>2</sup>delegated by him to an Assistant or Deputy Collector.

Collectors, Magistrates and other public servants subject to usual control in the exercise of their authority.

45. In the discharge of the duties and the exercise of authority assigned to them by this Act, Collectors, Magistrates and other public servants shall be subject to the like control as in the discharge of their ordinary functions.

Indemnity of persons acting in good faith under this Act.

46. (1) No Magistrate, Collector, president or member of a Sanitary Committee or Board, or Sanitary Inspector shall be liable to any penalty or to payment of damages for any act by him done in good faith in pursuance or intended pursuance of any authority or duty conferred or imposed upon him by this Act.

(2) And no public servant or person duly authorized or appointed shall be liable as aforesaid for giving effect in good faith to any order or direction issued with apparent authority by a person empowered in that behalf under this Act or under any rule made hereunder.

### SCHEDULE.

(See Section 3.)

| Number and year of enactment.          | Subject or title.                     | Extent of repeal.  |
|--|---------------------------------------|--|
| <sup>1</sup> Bom. Act VII of 1867 ..   | The Bombay District Police Act, 1867. | Sections 33 and 34.  |
| <sup>1</sup> Bom. Act VIII of 1867 ... | The Bombay Village Police Act, 1867.  | Clauses 2, 3 and 4 (except the first two and the last thirteen words) and 5 of section 16. |

<sup>1</sup> The words "with the sanction of Government," were omitted by the Bombay Decentralization Act, 1915 (Bom. Act 3 of 1915), Vol. V of this Code.

<sup>2</sup> For notification sanctioning the delegation of powers by Collectors and Deputy Commissioners in Sind, see Bombay Local Rules and Orders, and for notification delegating powers to Assistant and Deputy Collector under certain sections of the Act, see Bombay Government Gazette, 1902, Pt. I, p. 1153.

<sup>3</sup> Vol. II of this Code.